

**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q94153

Masao SUDOH, et al.

Appln. No.: 10/574,476

Group Art Unit: 1628

Confirmation No.: 2354

Examiner: Marcos L SZNAIDMAN

Filed: October 5, 2006

For: INFUSION PREPARATION CONTAINING (2R)-2-PROPYLOCTANOIC ACID AS  
THE ACTIVE INGREDIENT

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. §§ 1.97 and 1.98**

**MAIL STOP AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after filing a request for continued examination (RCE) under § 1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required. However, since a statement under 37 C.F.R. § 1.97(e) can be made, one is submitted herewith.

Applicant submits herewith a copy of a Japanese Office Action issued on October 1, 2010 in the corresponding Japanese Patent Application No. 2005-514508, together with an English-language translation thereof.

Applicant notes that WO 03/007992, JP 8-053351 A, JP 7-082146 A, and Non-patent literature document "Shin Yakuzaigaku Soron" published by Nankodo Co., Ltd. in 1987, pages 322-331, cited in the Japanese Office Action were previously submitted with an Information Disclosure Statement filed on April 3, 2006.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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**65565**

CUSTOMER NUMBER

Date: December 29, 2010